

## TRANSMITTAL OF PLANNING PROCUREMENT RECORD TO GSA

**Instructions:** After ascertaining the statement's accuracy and truthfulness, the agency's (director or head of agency) must sign the Certification below to indicate that the agency has kept and will keep a complete procurement record of all documents required by law as to its planning of the procurement; and is in fact transmitting a full and complete record of the planning of the procurement to GSA in accompaniment with this transmittal form as of the date this form is signed.

**Requesting/Using Agency:** \_\_\_\_\_

**Re:** \_\_\_\_\_

### 5 GCA §5249 Record of Procurement Actions

Each procurement officer shall maintain a complete record of each procurement. The record shall include the following:

- (a) the date, time, subject matter and names of participants at any meeting including government employees that is in any way related to a particular procurement;
- (b) a log of all communications between government employees and any member of the public, potential bidder, vendor or manufacturer which is in any way related to the procurement;
- (c) sound recordings of all pre-bid conferences; negotiations arising from a request for proposals and discussions with vendors concerning small purchase procurement;
- (d) brochures and submittals of potential vendors, manufacturers or contractors, and all drafts, signed and dated by the draftsman, and other papers or materials used in the development of specifications; and
- (e) the requesting agency's determination of need.

### 5 GCA §5132. Retention of Electronic Mail Correspondences

All incoming and outgoing electronic mail (email) correspondences pertaining to matters related to the procurement of goods and services as governed by this Chapter shall be retained for a period of not less than five (5) years. Such electronic mail (email) correspondences may be used for evidentiary purposes in the appellate procedures contained in this Chapter.

### 5 GCA § 10102 (d). Definition of Public Records

Public Records includes any writing containing information relating to the conduct of public business prepared, owned, used, or retained by any state or local agency in any format, including in electronic format.

The specifications for this procurement were prepared by: \_\_\_\_\_, in keeping with the above and all applicable Guam Procurement Laws and Regulations; and, he/she/they have included all records, meeting notes and any other materials in their/its possession in developing the specifications/statement of work/scope of services/technical specification as well as any of the above procurement records items. Additionally included is the written determination of need of the need the agency for this procurement (signed by director or head or the agency) and if applicable the board or commission minutes of the approval of this procurement. Please include research as to the availability of services, market availability. In the event this procurement is funded in whole or in part with federal funds a copy of the notice of grant award and any required federal terms and conditions or forms.

**CERTIFICATION:** I hereby certify under penalty of perjury that I am responsible for the planning procurement record and I have caused to be prepared and now transmit a full and complete record of the planning procurement records as required by law. I have obtained the signed verification of all individuals involved as the preparation of the specification that this is a true and accurate statement, and that this transmittal to GSA is complete. I acknowledge that there are continuing responsibilities within the requesting/using agency as to public records related to this procurement and will make sure they are maintained as required above.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_